

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION

NO. 5:15-cr-00095-D

UNITED STATES OF AMERICA :
:
v. :
:
TERRANCE LAMAR CARR :
:

PRELIMINARY ORDER OF FORFEITURE

WHEREAS, pursuant to the entry of the Memorandum of Plea Agreement entered into by the defendant, Terrance Lamar Carr, on June 2, 2015, the following property is hereby forfeitable pursuant to 21 U.S.C. § 853 and 18 U.S.C. § 924(d)(1), to wit:

- a) United States currency in the amount of \$4,300.00
- b) United States currency in the amount of \$3,219.00
- c) United States currency in the amount of \$1,605.00
- d) United States currency in the amount of \$1,253.00
- e) United States currency in the amount of \$1,370.00
- f) United States currency in the amount of \$1,900.00
- g) United States currency in the amount of \$821.00
- h) United States currency in the amount of \$1,805.00
- i) United States currency in the amount of \$410.00
- j) United States currency in the amount of \$439.00
- k) Dodge Charger (2006), VIN 2B3KA53H66H500187
- l) Cadillac DTS (2006), VIN 1G6KD57Y36U108011
- m) Dodge Charger (2008), VIN 2V3LA73W68H223543
- n) Toyota Camry (2009), VIN 4T1BF3EK5BU656107
- o) Smith & Wesson, model SW 40VE caliber handgun, bearing serial number RBE2585
- p) Smith & Wesson 40 caliber ammunition, and
- q) Federal 230 grain FMJ .45 caliber ammunition

WHEREAS, by virtue of said Memorandum of Plea Agreement and the defendant's agreement therein, the United States is now entitled to possession of said property pursuant to 21 U.S.C. § 853 or 21 U.S.C.

§ 924(d)(1); and

WHEREAS, by virtue of the defendant's guilty plea and agreement, the United States is now entitled to the defendant's interest in \$42,000.00 currency, pursuant to 21 U.S.C. § 853.

It is hereby ORDERED, ADJUDGED and DECREED:

1. That based upon the Memorandum of Plea Agreement as to the defendant, Terrance Lamar Carr, the United States is hereby authorized to seize the above-stated property, and it is hereby forfeited to the United States for disposition in accordance with the law, subject to the provisions of 21 U.S.C. § 853(n), as allowed by Fed. R. Crim. P. 32.2(b)(3). In accordance with Fed. R. Crim. P. 32.2(b)(4)(A), this Order is now final as to the defendant and the property is forfeited to the United States for disposition in accordance with the law. Additionally, the above-listed \$42,000.00 Currency is forfeited to the United States for disposition in accordance with the law; and

2. That upon sentencing and issuance of the Judgment and Commitment Order, the Clerk of Court is directed to incorporate a reference to this Preliminary Order of Forfeiture in the applicable section of the Judgment, as required by Fed. R. Crim. P. 32.2(b)(4)(B).

3. That pursuant to 21 U.S.C. § 853(n), the United States shall publish notice of this Order and of its intent to dispose of the property in such manner as the Attorney General or the Secretary of

Treasury directs, by publishing and sending notice in the same manner as in civil forfeiture cases, as provided in Supplemental Rule G(4). Any person other than the defendant, having or claiming any legal interest in the subject property must file a petition with the Court within 30 days of the publication of notice or of receipt of actual notice, whichever is earlier.

The petition must be signed by the petitioner under penalty of perjury and shall set forth the nature and extent of the petitioner's right, title, or interest in the subject property, and must include any additional facts supporting the petitioner's claim and the relief sought.

4. Any and all forfeited funds shall be deposited by the U. S. Department of Justice or the U. S. Department of the Treasury, as soon as located or recovered, into the U. S. Department of Justice's Assets Forfeiture Fund or the U. S. Department of the Treasury's Assets Forfeiture Fund in accordance with 28 U.S.C. § 524(c) and 21 U.S.C. § 881(e).

In respect to the dollar amount forfeited by the defendant but not in the possession of or its whereabouts known to the Government, the JUDGMENT is hereby entered against the defendant for the amount forfeitable, specifically, \$42,000.00 currency.

5. That upon adjudication of all third party interests this Court will enter a Final Order of Forfeiture pursuant to 21 U.S.C. § 853, as required by Fed. R. Crim. P. 32.2(c)(2).

SO ORDERED. This 19 day of October, 2015.



JAMES C. DEVER III
Chief United States District Judge